

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

In the Matter of	)	
	)	
Recommendations of	)	IB Docket No. 04-286
WRC-07 Advisory Committee	)	DA-05-476

**COMMENTS OF ITRON, INC.**

Itron, Inc. (“Itron”), by its attorneys and pursuant to the Public Notice, dated February 28, 2005, in the above-captioned proceeding, hereby comments on the recommendations of the Commission’s World Radiocommunication Conference Advisory Committee (“WRC Advisory Committee”) of the 2007 World Radiocommunication Conference (“WRC-2007”). Itron opposes changes that the WRC Advisory Committee has proposed to a draft preliminary view originated by the National Telecommunications and Information Administration concerning Agenda Item 1.17. That agenda item addresses the issue of allocating frequencies in the 1390-1392 and 1430-1432 MHz bands for feeder links for the mobile satellite systems that are popularly known as “Little LEOs.”

**INTRODUCTION**

Itron manufactures automatic meter reading systems that are marketed to electric, gas, and water utility companies. Itron holds licenses to operate these systems using frequencies in the 1427-1432 MHz band (“1.4 GHz band”). Itron anticipates that millions of these 1.4 GHz devices will be deployed within a relatively short period. Many of the devices, which have been specifically designed for licensed operations in the 1.4 GHz band, have to be small enough to fit into many different utility meters and must be low cost. As a result, the devices have system margins making them sensitive

to interference from Little LEO feeder downlinks. This sensitivity is widespread, because Itron's devices will be ubiquitous and Little LEO satellite systems have massive downlink footprints. Special care is warranted in these circumstances to protect licensees such as Itron against interference due to Little LEO operations.

At WRC-2003, the 1390-1392 MHz and 1430-1432 MHz bands were allocated on a secondary basis for Little LEO feeder uplinks and downlinks.<sup>1</sup> Resolution 745, however, specified that the allocation could not be implemented until ITU-R compatibility studies were completed and the results of those studies were reported to WRC-2007.<sup>2</sup>

In June 2004, the Commission put out for comment a draft preliminary view that had been adopted by the Radio Conference Subcommittee ("RCS") of the National Telecommunications and Information Administration ("NTIA") concerning Agenda Item 1.17, which calls for WRC-2007 "to consider the results of ITU-R studies on compatibility between the fixed-satellite service and other services around 1.4 GHz, in accordance with Resolution 745."<sup>3</sup> The RCS noted that "additional allocations in the [1.4 GHz] frequency region are quite complicated as many other services are potentially impacted."<sup>4</sup> Accordingly, the RCS draft preliminary view provided that "[u]pon the successful completion of these [ITU-R] studies" there should be "implementation of appropriate provisions in the Radio Regulations to protect existing [1.4 GHz] services."<sup>5</sup>

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<sup>1</sup> *In the Matter of Amendments to Parts 1, 2, 27, and 90 of the Commission's Rules to License Services in the 216-220 MHz, 1390-1395 MHz, 1427-1429 MHz, 1429-1432 MHz, 1432-1435 MHz, 1670-1675 MHz, and 2385-2390 MHz Government Transfer Bands, Memorandum Opinion and Order*, 18 FCC Rcd 16920, 16924 (2003) (*emphasis added*).

<sup>2</sup> See WRC-03 *Final Acts at Resolution 745*.

<sup>3</sup> See *The FCC's Advisory Committee for the World Radiocommunication Conference Proposes Preliminary Views on WRC-07 Issues*, Public Notice, 19 FCC Rcd 10525, 10556 (2004).

<sup>4</sup> 19 FCC Rcd at 10557.

<sup>5</sup> 19 FCC Rcd at 10557.

Itron filed comments in which it agreed in principle with the RCS position, but suggested certain refinements. Itron recommended that the language describing the compatibility studies be made more neutral, so as not to prejudge whether the studies would demonstrate that sharing in the 1.4 GHz band is possible. Itron also asked that the Commission avoid undercutting decisions it has made over the last several years allocating frequencies in the 1427-1432 MHz band on a primary basis to Part 90 telemetry systems and to the Wireless Medical Telemetry Service. To that end, Itron requested that Little LEO feeder links in the 1.4 GHz band be required to have PFD levels below  $-164/-154$  dBW/m<sup>2</sup>/4 kHz in the event it were determined that sharing with Little LEO feeder links in the 1.4 GHz band is feasible. This PFD limit had been found, in a document which was submitted by France and had been approved by the WG SE Ad Hoc group (the CEPT group responsible for the preparation of ITU-R WP 8B and 8D documents), to be the minimum needed to protect fixed service stations against harmful interference.

The WRC Advisory Committee's proposed changes to the position with regard to Agenda Item 1.17 that was adopted by NTIA would alter the position in two significant ways.<sup>6</sup> First, the WRC Advisory Committee's version would give U.S. support to upgrading the allocation for Little LEO feeder links in the 1.4 GHz band from secondary to primary.<sup>7</sup> Second, the WRC Advisory Committee's proposed changes suggest that tests and demonstrations already have been conducted that resolve the 1.4 GHz compatibility issue for Little LEO emissions, and that these tests and demonstrations have been validated by independent studies.<sup>8</sup> As a result, it is

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<sup>6</sup> See *The FCC's Advisory Committee for the 2007 World Radiocommunication Conference Approves Recommendations on WRC-07 Issues*, Public Notice, IB Docket No. 04-286 (rel. Feb. 28, 2005).

<sup>7</sup> *Id.* at 6, 8.

<sup>8</sup> *Id.* at 7-8.

further suggested, all that remains to be done is to complete studies addressing “operational and technical means to facilitate sharing around 1.4 GHz.”<sup>9</sup>

Itron opposes both of these changes. The changes would contradict U.S. policy and undercut the actions taken at WRC-2003, are inconsistent with the facts as determined by the Commission, and would be harmful to licensed 1.4 GHz users.

## DISCUSSION

At WRC-2003 and in the preparations that preceded it, there was a thorough examination of the Little LEO feeder link issue. After due deliberation, a determination was made that the feeder link allocation in the 1.4 GHz band would be secondary, not primary. The United States was the principal proponent of this outcome. As the Commission has stated: “At WRC-03, the United States obtained conditional support for a worldwide secondary allocation for Little LEO feeder links.”<sup>10</sup>

Given this history, attempting to change the Little LEO allocation in the 1.4 GHz band from secondary to primary would be ill-advised. Such an attempt would undercut the international actions that were taken less than two years ago at WRC-2003. It also could undermine the credibility of the United States – which was largely responsible for the secondary allocation - in the international arena.

In addition, seeking a primary allocation for 1.4 GHz Little LEO feeder links would conflict with an action that the Commission took just this week. In the WRC-

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<sup>9</sup> *Id.*

<sup>10</sup> See *Amendment of Parts 2, 25, and 73 of the Commission’s Rules to Implement Decisions from the World Radiocommunication Conference (Geneva, 2003) (WRC-03) Concerning Frequency Bands Between 5900 kHz and 27.5 GHz and to Otherwise Update the Rules in this Frequency Range*, Report and Order, ET Docket No. 04-139 (March 16, 2005) (“WRC-2003 Implementation Order”), ¶ 108.

2003 Implementation Order,<sup>11</sup> the Commission downgraded the provisional 1.4 GHz Little LEO feeder link in its domestic Table of Allocations from primary to secondary. It found, based on the action taken at WRC-2003, that it “it serves the public interest to maintain but revise the conditional allocations to reflect the WRC-03 [downgrading] action.”<sup>12</sup> If it is in the public interest to have a secondary allocation domestically, then it would be contrary to the public interest to advocate a primary allocation internationally.

The modifications suggested by the WRC Advisory Committee with respect to the status of compatibility studies also would conflict with the Commission’s findings. Although the changes proposed by the WRC Advisory Committee would treat the compatibility issue as if it has already been resolved, the Commission just has found that the issue remains an open one. In the WRC-2003 Implementation Order, the Commission made the provisional domestic allocation for Little LEO feeder links subject to “completion of ITU-R studies on all identified compatibility issues as shown in Annex 1 of Resolution 745 (WRC-2003) and ... to any further compatibility decisions by WRC-07.”<sup>13</sup> The stance taken by the WRC-2003 Advisory Committee directly conflicts with the Commission’s findings.

## CONCLUSION

For the reasons stated herein, the Commission should reject the changes that the WRC Advisory Committee has proposed to the draft preliminary view originated by NTIA concerning Agenda Item 1.17. Rather, and for the reasons stated in Itron’s previous comments, the position advanced by NTIA, as modified in the manner suggested in Itron’s previous comments, should be adopted as the U.S. position.

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<sup>11</sup> *Id.*

<sup>12</sup> *Id.* ¶ 116.

<sup>13</sup> *Id.*

Respectfully submitted,

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